

## Examiner-Initiated Interview Summary

**Application No.**

10/019,802

**Applicant(s)**

LUSCOMBE ET AL.

**Examiner**

Brian J. Davis

**Art Unit**

1621

**All Participants:**(1) Brian J. Davis.(2) Charlton Shen.**Status of Application:** \_\_\_\_\_

(3) \_\_\_\_\_.

(4) \_\_\_\_\_.

**Date of Interview:** 13 May 2004**Time:** \_\_**Type of Interview:**☒ Telephonic☐ Video Conference☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description:

**Part I.**

Rejection(s) discussed:

*A possible rejection based on case law and the prior art of record (WO 94/26704).*

Claims discussed:

*17 and 29*

Prior art documents discussed:

*WO 94/26704***Part II.**

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

*See Continuation Sheet***Part III.**☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.\_\_\_\_\_  
(Examiner/SPE Signature)\_\_\_\_\_  
(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: A call was placed to Mr. Shen to inform him that the application was being withdrawn from issue in view of case law. It was suggested that the claims could again be passed to issue if independent claims 17 and 29 were narrowed to exclude obese individuals from the method. Mr. Shen stated he would take the matter under consideration, but that he would not amend the claim at present